

| BILL NUMBER:<br><b>HB 676</b> |                        |                        |                     | DATE:<br><b>2/24/2021</b>   |
|-------------------------------|------------------------|------------------------|---------------------|-----------------------------|
| COMMITTEE:<br>Judiciary       |                        |                        |                     |                             |
| TESTIFYING:                   | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO     | ☐FOR INFORM         | ATIONAL PURPOSES            |
|                               |                        | WITNESS NAME           |                     |                             |
| INDIVIDUAL:                   |                        |                        |                     |                             |
| WITNESS NAME:<br>BRIDGET      |                        |                        | PHONE NUMI          | BER:                        |
| BUSINESS/ORGANIZATIO          | ON NAME:               |                        | TITLE:              |                             |
| ADDRESS:                      |                        |                        |                     |                             |
| CITY:                         |                        |                        | STATE:              | ZIP:                        |
| EMAIL:<br>bowen@aitx.com      |                        | ATTENDANCE:<br>Written | SUBMIT I<br>2/23/20 | DATE:<br><b>)21 5:25 PM</b> |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Alex Marley was a great person. He was kind and was building such an exciting future for himself. He is beloved by his family and friends. The world is lesser for his loss. It has been terrible to see the pain and sadness caused by Alex's killer to so many. It is fundamentally wrong that this killer was allowed to purchase a firearm and ammunition while out on parole. Our society and Alex deserved better than for this to be allowed to happen and it is time to make sure it doesn't happen again. There will be no purpose to the loss of Alex. Still, actions such as this show an effort to help reduce the chances of something this horrible happening again to other families and friends. Thank you.



### WITNESS APPEARANCE FORM

| BILL NUMBER:<br><b>HB 676</b>   |                        |                          |                              | <sup>ATE:</sup><br><b>/24/2021</b> |
|---------------------------------|------------------------|--------------------------|------------------------------|------------------------------------|
| COMMITTEE:<br><b>Judiciary</b>  |                        |                          | •                            |                                    |
| TESTIFYING:                     | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO       | FOR INFORMATI                | ONAL PURPOSES                      |
|                                 |                        | WITNESS NAME             |                              |                                    |
| INDIVIDUAL:                     |                        |                          |                              |                                    |
| WITNESS NAME:<br>CHARLES J MARL | _EY                    |                          | PHONE NUMBER:                |                                    |
| BUSINESS/ORGANIZATIO            | DN NAME:               |                          | TITLE:                       |                                    |
| ADDRESS:                        |                        |                          |                              |                                    |
| CITY:                           |                        |                          | STATE:                       | ZIP:                               |
| EMAIL:<br>cmarley56@gmail       | .com                   | ATTENDANCE:<br>In-Person | SUBMIT DATE <b>2/23/2021</b> | 7:51 PM                            |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I have always thought the punishment for murder is generally far too light. I believe that purposely taking someone's life should make yours forfeit. The murder of my son, Alex, on September 6 2018 did not change me in that regard but it did motivate me to try to do something about it. My son's mother, sister, and I are here to encourage you to take a small step in the direction of making Murder in the First degree charges possible for all murders not just those of law enforcement or cases where the murderer knew his victim. His mother and I taught Alex to be kind and generous to all and to always help someone in need when he could. He took it to heart and after his death we have heard many stories of the way he used his position as head chef at Andre's Banquets and Catering in South St Louis County to make sure that those with physical or mental disabilities could earn a living and feel needed to the organization. Sadly, his innate kindness was what lead him to pick up a convicted felon who begged a ride. After getting in Alex's car he apparently pulled out a gun, which was illegal for him to have, took Alex's cash and then fired a 9mm slug directly into the right side of Alex's head. A kill shot. Not one made in panic. The St Louis County Detectives did a good job in tracking down and arresting the suspect but did not determine that a robbery had happened as well. Later after the Grand Jury returned the indictment we were stunned to learn that my son's killer would only be charged with second degree murder and that the maximum duration he might spend incarcerated is 25.5 years. My son is dead and will still be dead in 25.5 years but his murderer will walk free. This is just not right. It seems as though the writers of the law governing the charges of murder were tortured with trying to find enough justification for a Murder in the First Degree charge. What should be simple, -You purposely took someone's life-, must be embellished with all sorts of caveats, like for example -you took someone's life while robbing them- or -you've had other serious assaultive criminal convictions-. That is why this bill is a step in the right direction. When you think about it you come to realize that a killer who doesn't know his victim and doesn't care who he kills is actually a greater threat to society than a killer who targets one individual. It's also a step in the right direction because now maybe we can make the crime of murder more costly to those who would kill. It's easy to see what happens when criminals are not prosecuted. We have only to look at the City of St Louis and the explosion in the murder rates last year. We must make the price of murder so high that those who would commit murder will not do so. Thank You for listening to me.



| BILL NUMBER:<br>HB 676   |                |                          |                     | DATE:<br>2/24/2021         |
|--|----------------|--------------------------|---------------------|----------------------------|
| COMMITTEE:<br>Judiciary  |                |                          |                     |                            |
| TESTIFYING:  | ☑IN SUPPORT OF | ☐ IN OPPOSITION TO       |                     | ATIONAL PURPOSES           |
|  |                | WITNESS NAME             |                     |                            |
| INDIVIDUAL:  |                |                          |                     |                            |
| WITNESS NAME:<br>CINDY ANDREWS   |                |                          | PHONE NUME          | ER:                        |
| BUSINESS/ORGANIZATIO   | N NAME:        |                          | TITLE:              |                            |
| ADDRESS:   |                |                          |                     |                            |
| CITY:  |                |                          | STATE:              | ZIP:                       |
| EMAIL:<br>kpcandrews@msn   | ı.com          | ATTENDANCE:<br>In-Person | SUBMIT D<br>2/22/20 | DATE:<br><b>21 4:25 PM</b> |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD LINDER CHAPTER 610, RSMo |                |                          |                     |                            |

Any murder committed with a gun needs to be considered First Degree. Regardless of if the murderer knows the victim or not, they took a life via a loaded gun.



| BILL NUMBER:<br>HB 676   |                        |                     |                     | DATE:<br>2/24/2021         |
|--|------------------------|---------------------|---------------------|----------------------------|
| COMMITTEE:<br>Judiciary  |                        |                     |                     |                            |
| TESTIFYING:  | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO  |                     | ATIONAL PURPOSES           |
|  |                        | WITNESS NAME        |                     |                            |
| INDIVIDUAL:  |                        |                     |                     |                            |
| WITNESS NAME:<br>CORA CULLI  |                        |                     | PHONE NUME          | BER:                       |
| BUSINESS/ORGANIZATIO   | DN NAME:               |                     | TITLE:              |                            |
| ADDRESS:   |                        |                     | •                   |                            |
| CITY:  |                        |                     | STATE:              | ZIP:                       |
| EMAIL:<br>cculli@aol.com   |                        | ATTENDANCE: Written | SUBMIT D<br>2/23/20 | OATE:<br><b>21 4:58 PM</b> |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD LINDER CHAPTER 610, RSMo |                        |                     |                     |                            |

A beautiful life cut short for reasons beyond my comprehension. Why this happened will never be understood by those who knew Alex and loved him. An innocent life taken needlessly.



| BILL NUMBER:<br><b>HB 676</b>     |                    |                    |                                | DATE:<br><b>2/24/2021</b> |
|-----------------------------------|--------------------|--------------------|--------------------------------|---------------------------|
| COMMITTEE:<br><b>Judiciary</b>    |                    |                    |                                |                           |
| TESTIFYING:                       | ☑ IN SUPPORT OF    | ☐ IN OPPOSITION TO |                                | ATIONAL PURPOSES          |
|                                   |                    | WITNESS NAME       |                                |                           |
| REGISTERED LO                     | OBBYIST:           |                    |                                |                           |
| WITNESS NAME:<br>DARRELL L. MOO   | RE                 |                    | PHONE NUME<br><b>573-751-0</b> |                           |
|                                   | HATION OF PROSECUT |                    | TITLE:                         |                           |
| ADDRESS: <b>PO BOX 899, 200 I</b> | MADISON STREET, SU | ITE 1060           |                                |                           |
| CITY:<br>JEFFERSON CITY           |                    |                    | STATE: <b>MO</b>               | ZIP:<br><b>65102</b>      |
| EMAIL:                            |                    | ATTENDANCE:        | SUBMIT 0<br>2/24/20            | DATE:<br>121 12:00 AM     |
| THE INFORMA                       | TION ON THIS FOR   | M IS PUBLIC RECOR  | D LINDER CHA                   | PTER 610 RSMo             |



| BILL NUMBER:<br>HB 676           |                   |                     |                     | DATE:<br>2/24/2021  |
|----------------------------------|-------------------|---------------------|---------------------|---------------------|
| COMMITTEE:<br><b>Judiciary</b>   |                   |                     |                     |                     |
| TESTIFYING:                      | ☑IN SUPPORT OF    | ☐ IN OPPOSITION TO  |                     | ATIONAL PURPOSES    |
|                                  |                   | WITNESS NAME        |                     |                     |
| INDIVIDUAL:                      |                   |                     |                     |                     |
| WITNESS NAME:<br>DENISE S. DOWNI | ING               |                     | PHONE NUME          | BER:                |
| BUSINESS/ORGANIZATIO             | DN NAME:          |                     | TITLE:              |                     |
| ADDRESS:                         |                   |                     | •                   |                     |
| CITY:                            |                   |                     | STATE:              | ZIP:                |
| EMAIL:<br>one-mom@prodig         | y.net             | ATTENDANCE: Written | SUBMIT D<br>2/23/20 | DATE:<br>21 6:18 AM |
| THE INFORMA                      | TION ON THIS FORM | I IS PUBLIC RECOR   | D LINDER CHA        | PTER 610 RSMo       |

I can not believe because you don't know the name of your victim that a 20 year sentence is all you will receive. This law is antiquated. I believe if you take a life your sentence should be life no parole.



| BILL NUMBER:<br>HB 676   |                        |                     |            | DATE:<br><b>2/24</b> /     | /2021       |
|--|------------------------|---------------------|------------|----------------------------|-------------|
| COMMITTEE: Judiciary   |                        |                     |            |                            |             |
| TESTIFYING:  | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO  | ☐FOR INFOR | MATION                     | AL PURPOSES |
|  |                        | WITNESS NAME        |            |                            |             |
| INDIVIDUAL:  |                        |                     |            |                            |             |
| WITNESS NAME:<br>DOUG TARRANT  |                        |                     | PHONE NU   | MBER:                      |             |
| BUSINESS/ORGANIZATIO   | DN NAME:               |                     | TITLE:     |                            |             |
| ADDRESS:   |                        |                     | ·          |                            |             |
| CITY:  |                        |                     | STATE:     |                            | ZIP:        |
| EMAIL:<br>dttarrant@aol.com  | 1                      | ATTENDANCE: Written |            | T DATE:<br><b>2021 7:5</b> | 5 PM        |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. |                        |                     |            |                            |             |



| BILL NUMBER:<br>HB 676          |                |                     |                       | DATE: <b>2/24/2021</b> |
|---------------------------------|----------------|---------------------|-----------------------|------------------------|
| COMMITTEE:<br>Judiciary         |                |                     | •                     |                        |
| TESTIFYING:                     | ☑IN SUPPORT OF | ☐ IN OPPOSITION TO  | FOR INFORMA           | TIONAL PURPOSES        |
|                                 |                | WITNESS NAME        |                       |                        |
| INDIVIDUAL:                     |                |                     |                       |                        |
| WITNESS NAME:<br>JAMIE HAMILTON |                |                     | PHONE NUMBE           | R:                     |
| BUSINESS/ORGANIZATIO            | N NAME:        |                     | TITLE:                |                        |
| ADDRESS:                        |                |                     |                       |                        |
| CITY:                           |                |                     | STATE:                | ZIP:                   |
| EMAIL:<br>HamyJamy1965@         | gmail.com      | ATTENDANCE: Written | SUBMIT DA<br>2/23/202 | TE:<br>1 11:20 PM      |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

On the evening of September 6, 2018, I sat next to a young man that I did not know and helplessly watched as he died. I held his hand and quietly prayed for him, waiting for help to arrive. At that immediate time, I had no idea what had happened, but I can say that my life has been forever impacted by this event. As I would eventually learn, Alex Marley was shot and murdered on the Telegraph WalMart parking lot by a man who was a convicted felon out on parole. As my husband and I gave our account of the event to the police, we learned more. We were angered beyond words at the idea that this murderer would only be charged with 2nd degree murder. The idea that 1st degree murder can ONLY be charged against a person who "pre-meditates" a killing is wrong - at least in the way the law currently reads. Individuals need to be held accountable for their actions and the lives they senselessly destroy. A criminal may not have a specific person in mind to kill when they pack up their handgun to commit a crime, but in reality there is STILL a method of pre-meditation occurring. For this reason, House Bill 676 needs to pass. As citizens of this state, we need to make victims & justice the priority, and make murderers fully responsible for the crimes they commit.



| BILL NUMBER:<br>HB 676   |                |                        |                     | DATE:<br>2/24/2021  |
|--|----------------|------------------------|---------------------|---------------------|
| COMMITTEE:<br><b>Judiciary</b>   |                |                        | ·                   |                     |
| TESTIFYING:  | ☑IN SUPPORT OF | ☐ IN OPPOSITION TO     | ☐FOR INFORM         | ATIONAL PURPOSES    |
|  |                | WITNESS NAME           |                     |                     |
| INDIVIDUAL:  |                |                        |                     |                     |
| WITNESS NAME:<br>JESSICA HATFIEL                                       | .D             |                        | PHONE NUME          | BER:                |
| BUSINESS/ORGANIZATIO   | DN NAME:       |                        | TITLE:              |                     |
| ADDRESS:   |                |                        |                     |                     |
| CITY:  |                |                        | STATE:              | ZIP:                |
| EMAIL:<br>jmarley52794@gm  | nail.com       | ATTENDANCE:<br>Written | SUBMIT D<br>2/22/20 | OATE:<br>21 9:20 PM |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD LINDER CHAPTER 610, RSMo |                |                        |                     |                     |

I support this bill. My cousin was murdered and his murderer as of right now will only get 25 years max while my cousin still is dead.



### WITNESS APPEARANCE FORM

| BILL NUMBER:<br>HB 676                |           |                               |                     | DA <sup>-</sup><br><b>2/2</b> | TE:<br><b>24/2021</b> |
|---------------------------------------|-----------|-------------------------------|---------------------|-------------------------------|-----------------------|
| COMMITTEE: Judiciary                  |           |                               |                     | ·                             |                       |
| TESTIFYING: ✓IN SU                    | JPPORT OF | IN OPPOSITION TO              | ☐FOR INFOR          | RMATIC                        | NAL PURPOSES          |
|                                       | V         | VITNESS NAME                  |                     |                               |                       |
| INDIVIDUAL:                           |           |                               |                     |                               |                       |
| WITNESS NAME:<br>JOSEPH JEREMY ROTHER |           |                               | PHONE N             | JMBER:                        |                       |
| BUSINESS/ORGANIZATION NAME:           |           |                               | TITLE:              |                               |                       |
| ADDRESS:                              |           |                               |                     |                               |                       |
| CITY:                                 |           |                               | STATE:              |                               | ZIP:                  |
| EMAIL:<br>jeremy_rother@yahoo.com     |           | ATTENDANCE:<br><b>Written</b> | SUBM<br><b>2/24</b> | IT DATE:<br>/2021 8           | :18 AM                |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Expanding available punishments including the use of the death penalty for any type of murder will help serve as a deterrent and to provide more ways for victims and their families to find justice. This bill is one step in the right direction but we must go further than this to make the death penalty and Murder 1 charges eligible to be brought regardless of premeditation or identified targets. In the case of my brother in law, Alex Marley, a law abiding, good Samiritan and so much more to those he knew and loved, he was not murdered by someone with a specific, premeditated target in mind but his case, his justice should be allowed to be in the form of a death penalty eligible, Murder 1 conviction and my hope is that this bill will pave the path towards that end so other families can eventually have more appropriate forms of justice available in cases like Alex's.



| BILL NUMBER:<br>HB 676  |                 |                     |                     | DATE:<br><b>2/24/2021</b> |
|---|-----------------|---------------------|---------------------|---------------------------|
| COMMITTEE:<br>Judiciary   |                 |                     |                     |                           |
| TESTIFYING:   | ✓ IN SUPPORT OF | ☐ IN OPPOSITION TO  |                     | ATIONAL PURPOSES          |
|   |                 | WITNESS NAME        |                     |                           |
| INDIVIDUAL:   |                 |                     |                     |                           |
| WITNESS NAME:<br>JOYCE BONO   |                 |                     | PHONE NUME          | BER:                      |
| BUSINESS/ORGANIZATIO  | N NAME:         |                     | TITLE:              |                           |
| ADDRESS:  |                 |                     |                     |                           |
| CITY:   |                 |                     | STATE:              | ZIP:                      |
| EMAIL:<br>d.jbono@yahoo.co  | om              | ATTENDANCE: Written | SUBMIT 0<br>2/23/20 | DATE:<br>121 8:12 AM      |
| THE INFORMATION ON THIS FORM IS PURILIC RECORD LINDER CHAPTER 610, RSMo |                 |                     |                     |                           |

I am in support of allowing a 1st degree murder sentence when the victim was not previously identified by the offender.



| BILL NUMBER:<br>HB 676   |                |                     |                     | DATE:<br>2/24/2021  |
|--|----------------|---------------------|---------------------|---------------------|
| COMMITTEE:<br>Judiciary  |                |                     |                     |                     |
| TESTIFYING:  | ☑IN SUPPORT OF | ☐ IN OPPOSITION TO  |                     | ATIONAL PURPOSES    |
|  |                | WITNESS NAME        |                     |                     |
| INDIVIDUAL:  |                |                     |                     |                     |
| WITNESS NAME:<br>KRISTY HEBERT   |                |                     | PHONE NUME          | BER:                |
| BUSINESS/ORGANIZATIO   | ON NAME:       |                     | TITLE:              |                     |
| ADDRESS:   |                |                     |                     |                     |
| CITY:  |                |                     | STATE:              | ZIP:                |
| EMAIL:<br>kristina.hebert@g  | mail.com       | ATTENDANCE: Written | SUBMIT 0<br>2/22/20 | OATE:<br>21 8:03 PM |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. |                |                     |                     |                     |

I support this bill.



| BILL NUMBER:<br>HB 676         |                        |                        |              | DAT<br><b>2/2</b>    | E:<br>2 <b>4/2021</b> |
|--------------------------------|------------------------|------------------------|--------------|----------------------|-----------------------|
| COMMITTEE:<br><b>Judiciary</b> |                        |                        |              | ·                    |                       |
| TESTIFYING:                    | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO     | ☐FOR INFOR   | RMATIO               | NAL PURPOSES          |
|                                |                        | WITNESS NAME           |              |                      |                       |
| INDIVIDUAL:                    |                        |                        |              |                      |                       |
| WITNESS NAME: PATRICIA A. MAR  | LEY                    |                        | PHONE N      | JMBER:               |                       |
| BUSINESS/ORGANIZATIO           | DN NAME:               |                        | TITLE:       |                      |                       |
| ADDRESS:                       |                        |                        |              |                      |                       |
| CITY:                          |                        |                        | STATE:       |                      | ZIP:                  |
| EMAIL:<br>p_marley@hotmai      | il.com                 | ATTENDANCE:<br>Written | SUBM<br>2/23 | IIT DATE:<br>/2021 3 | :38 PM                |

#### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I support this bill. Just because the murderer does not know his victim or declares the name of his/her victim does not minimize the act. In my opinion it makes it an even a bigger crime. I had a wonderful, caring nephew, Alexander Marley. Alex was murdered because he was a sweet, kind young man who helped someone in need. He didn't know his murderer, all he knew was someone needed help. The man who killed Alex is a convicted felon. Out on parole. He had a gun. He did not have to shoot Alex in the head, BUT he did. He intentionally did it. This man and others like him, have to be held FULLY accountable. I pray this law goes through. I pray this law will detour potential killers. I pray no family has to face the horrific and tragic loss of a loved one. Thank you



| BILL NUMBER:<br>HB 676          |                        |                        |         | DAT<br><b>2/2</b>               | TE:<br>2 <b>4/2021</b> |
|---------------------------------|------------------------|------------------------|---------|---------------------------------|------------------------|
| COMMITTEE:<br><b>Judiciary</b>  |                        |                        |         |                                 |                        |
| TESTIFYING:                     | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO     | ☐FOR IN | NFORMATIC                       | NAL PURPOSES           |
|                                 |                        | WITNESS NAME           |         |                                 |                        |
| INDIVIDUAL:                     |                        |                        |         |                                 |                        |
| WITNESS NAME:<br>RICHARD H WRIG | HT                     |                        | PHC     | ONE NUMBER:                     |                        |
| BUSINESS/ORGANIZATIO            | ON NAME:               |                        | TITL    | E:                              |                        |
| ADDRESS:                        |                        |                        |         |                                 |                        |
| CITY:                           |                        |                        | STA     | TE:                             | ZIP:                   |
| EMAIL:<br>rickatavu@gmail.c     | com                    | ATTENDANCE:<br>Written | ·       | SUBMIT DATE: <b>2/22/2021 6</b> | :00 PM                 |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

My nephew, Alex Marley, was murdered two years ago. His murder was arrested two days later. This person was a paroled felony. Earlier in the day he carjacked a seventeen year old male and stole approximately \$200 dollars. Later that night, he bought ammunition for his handgun (illegal) at a WalMart and somehow got into Alex's car at an adjacent gas station. At this point, witnesses Alex drove his car forwards an backwards, indicating that he felt threatened in the car. He was shot in the head behind the ear. This was not an accidental shooting. Even though the murder did not know Alex, he went to extreme lengths to get ammunition for his illegal handgun and had no qualms about using it to take a life. Alex was a kind, loving, generous young man. He left a mother and father, a step mother and step father, sister, two nephews (one he never meet), a niece, two aunts and uncles a grandmother many extended family members and hundreds of friends that miss him daily. This murderer does not not deserve to ever be out on the street.



| BILL NUMBER:<br>HB 676         |                        |                     |                     | DATE:<br><b>2/24/2021</b> |
|--------------------------------|------------------------|---------------------|---------------------|---------------------------|
| COMMITTEE:<br>Judiciary        |                        |                     |                     |                           |
| TESTIFYING:                    | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO  | ☐FOR INFORM         | ATIONAL PURPOSES          |
|                                |                        | WITNESS NAME        |                     |                           |
| INDIVIDUAL:                    |                        |                     |                     |                           |
| WITNESS NAME:<br>ROBERT MARLEY | ,                      |                     | PHONE NUME          | BER:                      |
| BUSINESS/ORGANIZATIO           | ON NAME:               |                     | TITLE:              |                           |
| ADDRESS:                       |                        |                     | •                   |                           |
| CITY:                          |                        |                     | STATE:              | ZIP:                      |
| EMAIL:<br>drmarley1@hotma      | ail.com                | ATTENDANCE: Written | SUBMIT 0<br>2/23/20 | DATE:<br>121 7:20 PM      |
| THE INFORMA                    | TION ON THIS FOR       | M IS PUBLIC RECOR   | D LINDER CHA        | PTER 610 RSMo             |

I support HB 676. I do not understand why this isn't the law now. Thank you for proposing this legisation.



| BILL NUMBER:<br><b>HB 676</b>  |                 |                        |                     | DATE:<br><b>2/24/2021</b>   |
|--|-----------------|------------------------|---------------------|-----------------------------|
| COMMITTEE:<br>Judiciary  |                 |                        |                     |                             |
| TESTIFYING:  | ☑ IN SUPPORT OF | ☐ IN OPPOSITION TO     | ☐FOR INFORM         | ATIONAL PURPOSES            |
|  |                 | WITNESS NAME           |                     |                             |
| INDIVIDUAL:  |                 |                        |                     |                             |
| WITNESS NAME:<br>SUSAN CULLI   |                 |                        | PHONE NUMI          | BER:                        |
| BUSINESS/ORGANIZATIO   | ON NAME:        |                        | TITLE:              |                             |
| ADDRESS:   |                 |                        | ·                   |                             |
| CITY:  |                 |                        | STATE:              | ZIP:                        |
| EMAIL:<br>sueculli@yahoo.c   | om              | ATTENDANCE:<br>Written | SUBMIT I<br>2/22/20 | DATE:<br><b>)21 7:42 PM</b> |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610. RSMo. |                 |                        |                     |                             |

I am in support of murder in the first degree in this case. Alex Marley was trying to help someone he thought was in need but was killed in cold blood.



| BILL NUMBER:<br>HB 676         |                        |                     |                     | DATE:<br>2/24/2021        |
|--------------------------------|------------------------|---------------------|---------------------|---------------------------|
| COMMITTEE:<br><b>Judiciary</b> |                        |                     |                     |                           |
| TESTIFYING:                    | <b>☑</b> IN SUPPORT OF | ☐ IN OPPOSITION TO  | ☐FOR INFORM         | ATIONAL PURPOSES          |
|                                |                        | WITNESS NAME        |                     |                           |
| INDIVIDUAL:                    |                        |                     |                     |                           |
| WITNESS NAME:<br>WANDA FOX     |                        |                     | PHONE NUMB          | ER:                       |
| BUSINESS/ORGANIZATIO           | ON NAME:               |                     | TITLE:              |                           |
| ADDRESS:                       |                        |                     | ·                   |                           |
| CITY:                          |                        |                     | STATE:              | ZIP:                      |
| EMAIL:<br>wanda.fox@att.ne     | t                      | ATTENDANCE: Written | SUBMIT D<br>2/24/20 | ATE:<br><b>21 9:18 AM</b> |
| THE INFORMA                    | TION ON THIS FORM      | I IS PUBLIC RECORI  | D UNDER CHA         | PTER 610, RSMo.           |

If a murder is committed with a gun it should be considered first degree murder.



| BILL NUMBER:<br><b>HB 676</b>  |                 |                     |                     | DATE:<br><b>2/24/2021</b>  |
|--|-----------------|---------------------|---------------------|----------------------------|
| COMMITTEE:<br><b>Judiciary</b>   |                 |                     | ·                   |                            |
| TESTIFYING:  | ☐ IN SUPPORT OF | ✓ IN OPPOSITION TO  | ☐FOR INFORM         | ATIONAL PURPOSES           |
|  |                 | WITNESS NAME        |                     |                            |
| INDIVIDUAL:  |                 |                     |                     |                            |
| WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO       |                 |                     | ER:                 |                            |
| BUSINESS/ORGANIZATIO   | ON NAME:        |                     | TITLE:              |                            |
| ADDRESS:   |                 |                     |                     |                            |
| CITY:  |                 |                     | STATE:              | ZIP:                       |
| EMAIL:<br>arniedienoff@yah   | oo.com          | ATTENDANCE: Written | SUBMIT D<br>2/24/20 | ATE:<br><b>21 11:42 PM</b> |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. |                 |                     |                     |                            |

I Oppose this Bill in its present form and on its face. This Bill needs some work and Amendments. This Bill needs to be more clear with details and solid standard with "Due-Process" for a Jury to Consider without a doubt.



### WITNESS APPEARANCE FORM

| BILL NUMBER:<br>HB 676               |                                |                     |           | DAT<br><b>2/2</b>         | E:<br>2 <b>4/2021</b> |
|--------------------------------------|--------------------------------|---------------------|-----------|---------------------------|-----------------------|
| COMMITTEE:<br><b>Judiciary</b>       |                                |                     |           |                           |                       |
| TESTIFYING:                          | ☐ IN SUPPORT OF                | ✓ IN OPPOSITION TO  |           | NFORMATIO                 | NAL PURPOSES          |
|                                      |                                | WITNESS NAME        |           |                           |                       |
| BUSINESS/ORG                         | ANIZATION:                     |                     |           |                           |                       |
| WITNESS NAME:<br>ELYSE MAX           |                                |                     |           | ONE NUMBER:<br>6-931-4177 |                       |
| BUSINESS/ORGANIZATION MISSOURIANS FO | ON NAME:<br>OR ALTERNATIVES TO | THE DEATH PENALTY   | ST        | ATE DIREC                 | TOR                   |
| ADDRESS: 6320 BROOKSIDE              | PLAZA, SUITE 185               |                     |           |                           |                       |
| CITY:<br>KANSAS CITY                 |                                |                     | STA<br>MC |                           | ZIP:<br><b>64113</b>  |
| EMAIL:<br>elyse.max@gmail.           | com                            | ATTENDANCE: Written | -         | SUBMIT DATE: 2/24/2021 1  | 0:50 AM               |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

February 24, 2021To: Representative Dave Evans, Chairman, and Members, House Judiciary From: Elyse Max, Missourians for Alternatives to the Death Penalty, State DirectorRe: Opposition to HB 676HB 676 will expand the aggravating circumstances in death penalty eligible cases to include "transferred intent." Aggravating factors are the reasons prosecutors use when choosing a death sentence over life without parole for first-degree murder. They include the severity of the crime, the vulnerability of the victim, and the history of the defendant. Missouri's death penalty statute enumerates 17 aggravating circumstances, many of which are so broadly drafted as to qualify virtually any intentional homicide as a death penalty case. Missouri's death penalty scheme fails to adequately narrow the class of death-eligible homicides as constitutionally required by Supreme Court precedent. resulting in death sentences being imposed arbitrarily. Creating a new law that adds reasons to impose death sentences is an unnecessary expansion of government when prosecutorial discretion already defines which defendants face the death penalty, and because prosecutors apply their discretion in vastly different ways, this has resulted in large geographic disparities in the rates of death penalty prosecutions and convictions in Missouri. Instead of passing legislation to increase the use of the death penalty, it is time for Missouri to do a full audit of the death penalty system to expose the costs and consequences of this bloated government program, which spends millions of dollars in the name of public safety. While Missouri has yet to quantify the financial costs, there is no cost study that can enumerate the consequences. The death penalty promotes the systemic errors of the criminal justice system by convicting and executing innocent people4, which negates the efforts of true public safety. For these reasons, Missourians for Alternatives to the Death Penalty opposes HB 676 and any legislation intended to expand the use of capital punishment in Missouri. Sincerely, Elyse MaxState Director, Missourians for Alternatives to the Death Penalty Missourians for Alternatives to the Death Penalty is a nonprofit organization dedicated to ending the use of the death penalty in the state of Missouri.



### WITNESS APPEARANCE FORM

| BILL NUMBER:<br><b>HB 676</b>        |                               |                     |            | DAT<br><b>2/2</b>         | E:<br><b>4/2021</b>  |
|--------------------------------------|-------------------------------|---------------------|------------|---------------------------|----------------------|
| COMMITTEE:<br><b>Judiciary</b>       |                               |                     |            | ·                         |                      |
| TESTIFYING:                          | $\square$ IN SUPPORT OF       | ☑ IN OPPOSITION TO  | ☐FOR INI   | FORMATIO                  | NAL PURPOSES         |
|                                      |                               | WITNESS NAME        |            |                           |                      |
| BUSINESS/ORG                         | ANIZATION:                    |                     |            |                           |                      |
| WITNESS NAME:<br>NIMROD CHAPEL,      | JR.                           |                     |            | NE NUMBER:<br>-309-5009   |                      |
| BUSINESS/ORGANIZATION MISSOURI STATE | ON NAME:<br>CONFERENCE OF THE | NAACP               | PRE        | SIDENT                    |                      |
| ADDRESS:<br>PO BOX 1963              |                               |                     |            |                           |                      |
| CITY:<br>JEFFERSON CITY              |                               |                     | STAT<br>MO | E:                        | ZIP:<br><b>65102</b> |
| EMAIL:<br>nimrodchapeljr@g           | ımail.com                     | ATTENDANCE: Written |            | SUBMIT DATE: 2/24/2021 10 | D:54 AM              |

#### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

February 24, 2021 To: Representative Dave Evans, Chairman, and Members, House Judiciary From: Nimrod Chapel, Jr., President Missouri State Conference of the NAACPRe: **Opposition** to HB 676 from the NAACPThe NAACP of Missouri is unequivocal in its belief that the death penalty is cruel and unusual punishment and its administration is rife with errors that violate the 8th and 14th Amendments of the Constitution. We stand in opposition to HB 676 which will expand the use of the death penalty in Missouri where African Americans are disproportionately represented on death row and among those who have been executed. Black people make up 11.8 percent of the population, but they make up 35 percent of death row. In addition, many studies have found the race of the victim to affect who receives the death penalty, with homicides of white victims are seven times more likely to result in execution than those involving Black victims. Innocent people have been sentenced to death and executed. If innocent people can be convicted, sentenced to death, and executed, the criminal justice system cannot be trusted to reliably separate the innocent from the quilty. The data now show that for every eight people who have been put to death in the U.S. since executions resumed in the 1970s, one person who had been wrongfully convicted and sentenced to death has been exonerated. This number does not include people like Marcellus Williams, an innocent Black man from St. Louis County who has been on death row for almost 20 years. Williams has been waiting for three year for a ruling on DNA evidence presented by the Innocence Project which could exonerate him. The death penalty consumes an enormous amount of resources without improving safety. There is no reliable evidence that the death penalty deters people from committing crime. In fact, murder rates are higher in states that have capital punishment than they are in states without it. At the same time, the death penalty drains resources from the legal system, prisons, and law enforcement. Contrary to popular belief, the death penalty is much more expensive than a sentence of life without parole. Prosecutor Discretion already defines which defendants face the death penalty. Prosecutorial discretion already defines which defendants face the death penalty, and because prosecutors apply their discretion in vastly different ways, this has resulted in large geographic disparities in the rates of death penalty prosecutions and convictions in Missouri. The lack of racial diversity among Missouri prosecutors-those choosing whether to seek the death penalty is deeply troubling. Of the state's 114 prosecutors, 112 are White. That level of institutional racism undermines potential public support and helps explain why Blacks disproportionately are sentenced to death and executed. In sum, the Missouri State Conference of the NAACP opposes HB 676. Expanding the use of the death penalty is detrimental to the public safety of African Americans and people of color in Missouri. Sincerely, Nimrod Chapel, Jr. Missouri State Conference of the NAACP



### WITNESS APPEARANCE FORM

| BILL NUMBER:<br>HB 676          |                 |                     |                                  | DATE:<br><b>2/24/2021</b> |
|---------------------------------|-----------------|---------------------|----------------------------------|---------------------------|
| COMMITTEE:<br>Judiciary         |                 |                     | ·                                |                           |
| TESTIFYING:                     | ☐ IN SUPPORT OF | ✓ IN OPPOSITION TO  | ☐FOR INFORMA                     | ATIONAL PURPOSES          |
|                                 |                 | WITNESS NAME        |                                  |                           |
| REGISTERED L                    | OBBYIST:        |                     |                                  |                           |
| WITNESS NAME:<br>RITA LINHARDT  |                 |                     | PHONE NUMBI<br><b>573-635-72</b> |                           |
| REPRESENTING:<br>MISSOURI CATHO | DLIC CONFERENCE |                     | TITLE:<br>SENIOR S               | TAFF ASSOCIATE            |
| ADDRESS:<br>P.O BOX 1022        |                 |                     |                                  |                           |
| CITY:<br>JEFFERSON CITY         | •               |                     | STATE:<br>MO                     | ZIP:<br><b>65016</b>      |
| EMAIL:<br>linhardtr@mocath      | olic.org        | ATTENDANCE: Written | SUBMIT D. <b>2/23/20</b> 2       | ATE:<br>21 8:42 AM        |

### THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

To: House Judiciary CommitteeFrom: Missouri Catholic ConferenceDate: February 22, 2021Re: Opposition to HB 676The Missouri Catholic Conference respectfully opposes HB 676, because it unnecessarily adds to the list of aggravating circumstances for which prosecutors can seek the death penalty based upon the unusual facts of a single case. There are 16 statutory aggravating factors warranting a death sentence in Missouri compared to only seven mitigating circumstances. Adding this language would only serve to expand the use of the death penalty at a time when most states are turning away from the ultimate punishment. Twenty-three states have abolished the death penalty, including Colorado in 2020 and Virginia in 2021. Eight states have repealed the death penalty in the last decade. Three additional states currently have gubernatorial moratoriums in place. Twenty-eight states still have the death penalty, but some have not executed anyone for at least ten years. More and more prosecutors who pledged never to use the death penalty or to seek only sparingly are being elected in counties across the country, and now represent 12% of the nation's death row. The number of death sentences and executions also declined with the nation set for the sixth straight year of nearrecord low sentences and executions. It is clear that the nation is moving away from the death penalty. Pope John Paul II said at the Papal Mass at the Trans World Done in St. Louis in 1999: ".....The new evangelization calls for the followers of Christ who are unconditionally pro-life: who will proclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that a dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance of reform (cf. Evangelium Vitae 27). I renew the appeal I made most recently at Christmas for consensus to end the death penalty, which is both cruel and unnecessary...."Rather than move Missouri away from use of the death penalty, HB 676 seeks to expand it use based upon the facts from a single, unusual case. The Missouri Catholic Conference respectively requests that you vote HB 676 "Do Not Pass"



| BILL NUMBER:<br>HB 676                            |              |                     |                         | DATE:<br>2/24/2021   |
|---|--------------|---------------------|-------------------------|----------------------|
| COMMITTEE: Judiciary                              |              |                     |                         |                      |
| TESTIFYING:                                       | JPPORT OF    | ☐ IN OPPOSITION TO  | FOR INFORM              | ATIONAL PURPOSES     |
|   |              | WITNESS NAME        |                         |                      |
| BUSINESS/ORGANIZAT                                | ION:         |                     |                         |                      |
| WITNESS NAME:<br>ELYSE MAX                        |              |                     | PHONE NUME<br>816-931-4 |                      |
| BUSINESS/ORGANIZATION NAME: MISSOURIANS FOR ALTER | NATIVES TO T | HE DEATH PENALTY    | TITLE:<br>DIRECTOI      | ₹                    |
| ADDRESS: 6320 BROOKSIDE PLAZA, S                  | SUITE 185    |                     |                         |                      |
| CITY:<br>KANSAS CITY                              |              |                     | STATE:<br>MO            | ZIP:<br><b>64113</b> |
| EMAIL:<br>elyse.max@gmail.com                     |              | ATTENDANCE: Written | SUBMIT 0<br>2/24/20     | OATE:<br>21 3:48 PM  |
| THE INFORMATION ON                                | THIS FORM    | I IS PUBLIC RECOR   | D UNDER CHA             | PTER 610, RSMo.      |

I am resubmitting earlier testimony to clarify that if HB 676 Committee Substitute is adopted, MADP would be neutral in our testimony which clarifies transferred intent in the charging decision, not the sentencing decision.



| BILL NUMBER:<br>HB 676          |                         |                    |                                 | DATE:<br><b>2/24/2021</b> |
|---------------------------------|-------------------------|--------------------|---------------------------------|---------------------------|
| COMMITTEE:<br>Judiciary         |                         |                    | •                               |                           |
| TESTIFYING:                     | $\square$ IN SUPPORT OF | ☐ IN OPPOSITION TO | FOR INFORM                      | ATIONAL PURPOSES          |
|                                 |                         | WITNESS NAME       |                                 |                           |
| REGISTERED LO                   | OBBYIST:                |                    |                                 |                           |
| WITNESS NAME:<br>RANDY SCHERR   |                         |                    | PHONE NUMB<br><b>573-636-28</b> |                           |
| REPRESENTING:<br>MISSOURI ASSOC | IATION OF CRIMINAL      | DEFENSE LAWYERS    | TITLE:                          |                           |
| ADDRESS:<br>101 EAST HIGH ST    | TREET                   |                    |                                 |                           |
| CITY: JEFFERSON CITY            |                         |                    | STATE:<br>MO                    | ZIP:<br><b>65101</b>      |
| EMAIL:                          |                         | ATTENDANCE:        | SUBMIT D<br>2/24/20             | DATE:<br>21 12:00 AM      |
| THE INFORMA                     | TION ON THIS FOR        | M IS PUBLIC RECOR  | D UNDER CHA                     | PTER 610. RSMo.           |